

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificate of:

Jon B. Greer,

Respondent

Case No. 21821

**STIPULATION**

**BACKGROUND**

The Professional Standards Commission received an allegation of unethical conduct concerning Jon B. Greer. Following an investigation, the Executive Committee of the Professional Standards Commission reviewed the information before it and determined that probable cause exists for initiating an administrative action against Jon B. Greer's certificate. The Executive Committee has recommended the following Stipulation.

**STIPULATION**

1. This is an agreement (Stipulation) between Jon B. Greer (Mr. Greer) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).

2. If Mr. Greer wishes to agree to this Stipulation, he must sign and return this Stipulation and any attachments to the Commission by 5:00 p.m. (Mountain Time) on or before **February 15, 2019**, unless he has been granted an extension.

3. After Mr. Greer and the Executive Committee agree to and sign this Stipulation, the Stipulation must be approved by the Commission, and the Commission must enter the attached consent order, before this Stipulation resolves the matter.

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4. A signed copy of this Stipulation may be submitted via mail or fax to:

Professional Standards Commission  
650 West State Street, 2nd Floor  
P. O. Box 83720  
Boise, ID 83720-0027  
Fax: (208) 334-2228 (Attn: Professional Standards Commission)

**A. STIPULATED FACTS AND LAW**

5. The Commission regulates teacher certification in Idaho.
6. Mr. Greer holds the following certificate and endorsements issued under the authority of the Idaho State Board of Education:
  - a. Standard Secondary certificate with endorsements in Natural Science (6-12), Physical Education (PE) (6-12), P.E. & Health (6-12), and Health (6-12), currently effective through August 31, 2020.
7. Mr. Greer was employed by Emmett Independent School District #221 (“Emmett”) for the 2017-2018 school year.
8. On or about May 7, 2018, a student reported an incident between himself and Mr. Greer that occurred at approximately 10:40 in the morning.
9. The student was walking to his English class on the second floor.
10. Mr. Greer was standing by the gym doors in the hallway.
11. As the student passed Mr. Greer, the student addressed Mr. Greer as “Greer the Queer”.
12. As the student continued walking, Mr. Greer grabbed the student by his neck and began dragging the student backwards.
13. While continuing to hold the student by the neck, Mr. Greer took the student through the door of the gym to the stairs leading to the baseball room.

14. Mr. Greer began to squeeze the student harder and used enough force to lift the student somewhat off his feet.

15. At that time, the student asked Mr. Greer if he was trying to fight.

16. Mr. Greer responded by saying he was going to do more than fight and asking the student if he thought he was funny.

17. The student perceived that Mr. Greer was angry and began to panic and was struggling to breathe.

18. At some point, Mr. Greer loosened his grip and he and the student exited the gym doors.

19. On May 8, 2018, the Emmett Police Department was notified about the May 7, 2018, incident.

20. Based upon the May 7, 2018, incident, Mr. Greer was charged with one count of misdemeanor injury to child, a violation of Idaho Code § 18-1501(2).

21. Based upon Mr. Greer's plea of guilty, Judgment was entered against him on November 20, 2018. A copy of the judgment is attached as Exhibit A.

22. The Executive Committee determined that probable cause exists for initiating an administrative action against Mr. Greer for violating the following laws and rule governing teacher certification:

- a. Mr. Greer's conduct or course of conduct willfully violated a principle of the code of ethics that was adopted by the Idaho State Board of Education. Idaho Code § 33-1208(1)(j) ("Willful violation of any professional code or standard of ethics or conduct, adopted by the state board of education"). Specifically, Mr. Greer violated Code of Ethics Principle II (Idaho Admin. Code r. 08.02.02.076.03) ("A professional educator maintains a professional relationship with all students, both inside and outside the physical and virtual classroom.").

- b. Mr. Greer's conduct or course of conduct willfully violated a principle of the code of ethics that was adopted by the Idaho State Board of Education. Idaho Code § 33-1208(1)(j) ("Willful violation of any professional code or standard of ethics or conduct, adopted by the state board of education"). Specifically, Mr. Greer violated Code of Ethics Principle X.a (Idaho Admin. Code r. 08.02.02.076.11.a) ("Any conduct that seriously impairs the Certificate holder's ability to teach or perform his professional duties.").
- c. Mr. Greer's conviction of misdemeanor injury to child is a violation of Idaho Code § 33-1208(1)(l).

23. Mr. Greer admits that he violated the laws and rules cited in paragraph 22 and acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rule cited in paragraph 22.

#### **B. STIPULATED DISCIPLINE**

24. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Mr. Greer's certificate:

- a. The Commission will suspend Mr. Greer's certificate for one year from entry of consent order.
- b. Mr. Greer take a PSC approved three credit professional boundaries course that may not be used for renewal purposes.

25. Any costs associated with Mr. Greer's compliance with the terms of this Stipulation are his responsibility.

26. During the pendency of this Stipulation, Mr. Greer will comply with all laws and rules governing teacher certification in Idaho.

#### **C. PRESENTATION OF THIS STIPULATION**

27. Once Mr. Greer signs this Stipulation and timely returns it to the Commission, and the Executive Committee signs this Stipulation, the Deputy Attorney General assigned to the

Commission will present this Stipulation to the Commission at the Commission's next business meeting.

28. The Commission may accept, reject, or modify the Stipulation.

29. If the Commission modifies this Stipulation, it must receive Mr. Greer's approval on any modification before the Stipulation is effective.

#### **D. WAIVER OF RIGHTS**

30. If this Stipulation is approved by the Commission, Mr. Greer knowingly, intelligently, and voluntarily waives the following rights:

- a. the right to a hearing;
- b. the right to confront and cross-examine witnesses;
- c. the right to present evidence or to call witnesses, or to testify at a hearing;
- d. the right to reconsideration of the Commission's orders;
- e. the right to judicial review of the Commission's orders; and
- f. other rights accorded by the Idaho Administrative Procedure Act, and the law and rules governing teacher certification in the State of Idaho.

31. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Mr. Greer's certificate without further process.

32. By signing this Stipulation, Mr. Greer agrees to waive any requirement for a hearing under Idaho Code § 33-1209(3) to be conducted within 90 days of a request for a hearing. This waiver applies to any hearing request made before the Commission ultimately rejects this Stipulation (if it does) or before Mr. Greer ultimately rejects a modified stipulation (if Mr. Greer does). If the Commission ultimately rejects this Stipulation or if Mr. Greer ultimately rejects a modified stipulation, and Mr. Greer has requested a hearing, the 90-day hearing timeframe will begin from the ultimate rejection.

**F. GENERAL ACKNOWLEDGMENTS**

33. This Stipulation contains the entire agreement between the parties, and Mr. Greer is not relying on any other agreement or representation, whether verbal or written.

34. This Stipulation, if approved by the Commission, or modified and approved, resolves a contested case. If approved, the Stipulation, consent order, and any attachment are public records. And if approved, the Commission may make available through its or the State Department of Education's website a copy of the Stipulation, consent order, and any attachment, and may report any discipline to the national clearinghouse for teacher certification.

35. Mr. Greer agrees that he has read this Stipulation, has had the opportunity to discuss it with legal counsel, if he so chose, and understands that by signing below, he will be agreeing to the terms of this Stipulation.

**SIGNATURES**

**Respondent**

The respondent, Jon B. Greer, agrees to this Stipulation.

DATED this 14 day of February, 2019.

  
\_\_\_\_\_  
Jon B. Greer  
Respondent

**Executive Committee**

The Executive Committee recommends that the Commission enter an Order based upon this Stipulation.

DATED this 4 day of April, 2019.

IDAHO PROFESSIONAL STANDARDS COMMISSION  
EXECUTIVE COMMITTEE

  
\_\_\_\_\_  
Char McKinney, Member

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

State of Idaho  
vs.  
Jon Brian Greer

Case No. CR23-18-0541  
Citation No.  
Agency:

JUDGMENT

Event Code: JDMT

DOB: 1965 DL#:

Count Charge Desc  
1 Children-Injury To Child

Statute I.C. §  
118-1501(2)

The defendant having been fully advised of his/her statutory and constitutional rights, including the right to be represented by counsel,  
 pleads guilty  found guilty  was found not guilty  default judgment  state moved to dismiss  dismissed  
 conviction entered  judgment is withheld  state moved to conditionally dismiss  conditionally dismissed with the following terms

**JUDGMENT:**

**PAYMENTS:** Fine \$ 500.00, \$ Court Costs 157.50.  Court costs waived \$ 300.00, suspended.

Reimburse for attorney or public defender \$ \_\_\_\_\_  Public Defender fees waived  
 Pay restitution to Gem County in the amount of \$ \_\_\_\_\_ for \_\_\_\_\_.

**Defendant shall pay immediately, or as provided in payment agreement but no later than 5/30/2019.**

**COMMUNITY SERVICE:** Defendant shall complete \_\_\_\_\_ hours of community service, in lieu of \_\_\_\_\_ days of jail, at the rate of \$3.00 per hour for a total of \$ \_\_\_\_\_. Defendant must provide proof of completion by \_\_\_\_\_. It is the defendant's responsibility to provide proof of completion to the court by the date listed above.

**MAKE PAYMENTS PAYABLE TO Gem County Magistrate Court, include case number, and send to 415 E. Main Room #300, Emmett, ID 83617. We accept cash, check, money order, and credit/debit cards. A \$3.00 technology fee will be added for all credit/debit transactions. Or pay on-line at [www.mycourts.idaho.gov](http://www.mycourts.idaho.gov) with a 3% fee. All installment payments are subject to a \$2.00 handling fee. Fees for jail and SILD must be paid to the Sheriff's Office.**

**JAIL:** Defendant shall serve 90 days in jail with 90 days suspended and credit for \_\_\_\_\_ days served \_\_\_\_\_ days discretionary jail time  
Defendant will **REPORT TO JAIL** on \_\_\_\_\_ at \_\_\_\_\_ and will be **RELEASED** on \_\_\_\_\_ at \_\_\_\_\_

Work release is granted \_\_\_\_\_ upon meeting requirements of Gem Co. Sheriff's Office  
 SILD \_\_\_\_\_ days in lieu of \_\_\_\_\_ days jail to be completed by \_\_\_\_\_

This jail sentence is  concurrent  consecutive with any jail sentence previously ordered.

**DRIVING PRIVILEGES** suspended for \_\_\_\_\_ days beginning on:  date of this judgment or

First 30 days absolute.  Entire term absolute  Concurrent  Consecutive to other suspensions

Reinstatement of driving privileges must be accomplished **before** you can drive. Apply to: Drivers Services, PO Box 7129, Boise, ID 83707-1129 (208) 334-8736

D.W.P. - License suspended for \_\_\_\_\_ days following the end of any period of suspension, disqualification or revocation existing at the time of this offense.  
 Hunting  Fishing  Trapping - License suspended for \_\_\_\_\_ days, \_\_\_\_\_ months, beginning \_\_\_\_\_

**PROBATION:** The defendant shall be placed on  SUPERVISED  UNSUPERVISED for \_\_\_\_\_ Months 1 Years  Consecutive  Concurrent  
During this period of probation, the defendant shall:

If on supervised probation, report to their misdemeanor probation officer within 24 hours of this Order and comply with all rules and reporting requirements.

Waiver of 4th Amendment Right -The Defendant will submit to a search of his/her person, vehicle, residence or property, including the content of the Defendant's cell phone, by the Defendant's probation officer or the officer's designee in order to determine whether the defendant is complying with the terms and conditions of his/her probation.

Violate NO misdemeanor or felony of any jurisdiction

Consume No Alcohol  Do not enter establishment that serves alcohol, except restaurants.

Enroll in a \_\_\_\_\_  Counselor of Choice  Probation Officer approved provider, and successfully complete the program and file proof of completion by \_\_\_\_\_  
 Probation Officer recommended counseling.

Must complete MADD Victims Panel and provide proof of completion by \_\_\_\_\_

Pay all fines/costs by the date listed above.

Refuse no evidentiary test for the presence of alcohol or drugs with or without probable cause.

Notify the court in writing of any address change within 48 hours of the change and accept all future orders or notices of this court at the last known address by regular US mail and/or through counsel, if any.

Not operate any motor vehicle upon a public roadway unless properly licensed and insured nor after having consumed any amount of alcohol.

The defendant shall not use any controlled substance without a prescription.

Other letter of apology to victim and superintendent of school district and not apply for teaching position in Gem County.

Date: Signed 11/20/2018 10:21 AM \_\_\_\_\_, Tyler D. Smith, Magistrate

Copies to:  Defendant (by hand delivery in court)  Prosecutor  Defense Counsel [ ] Jail [ ] EPD [ ] CS director [ ] SILD [ ] Probation Officer  
[ ] Dispatch [ ] Supreme Court [ ] Other \_\_\_\_\_ Deputy Clerk Raive Dadin

**DEFENDANT HAS FORTY-TWO (42) DAYS TO APPEAL THIS JUDGMENT**

ANY VIOLATION OF THE TERMS LISTED ABOVE MAY RESULT IN A PROBATION VIOLATION OR CONTEMPT CHARGES.

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificate of:

Jon B. Greer

Respondent

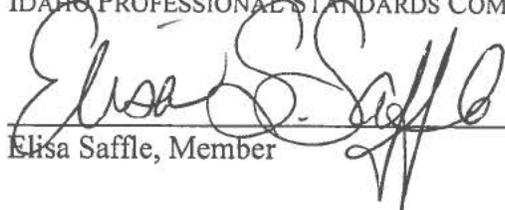
Case No. 21822

**CONSENT ORDER**

The Professional Standards Commission orders that the Stipulation, entered between Jon B. Greer and the Executive Committee, is adopted as the informal disposition of this case, as permitted under Idaho Code § 67-5241. It will be effective on the \_\_\_ day of April, 2019. The discipline listed in the Stipulation is imposed on Jon B. Greer's certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Jon B. Greer has waived the right of judicial review.

DATED this 04 day of April, 2019.

IDAHO PROFESSIONAL STANDARDS COMMISSION

  
Elisa Saffle, Member

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 10<sup>th</sup> day of April, 2019, I caused to be served a true and correct copy of the foregoing by the following method to:

Jon B. Greer  


- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile:
- Email:

Robert A. Berry  
Deputy Attorney General  
P. O. Box 83720  
Boise, ID 83720-0010

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile: (208) 854-8073
- Email: robert.berry@ag.idaho.gov  
leslie.gottsch@ag.idaho.gov

  
Annette Schwab  
Program Specialist  
Idaho State Department of Education